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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *24 February 2010*.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-5,7-10 and 21-28* is/are pending in the application.
   4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1-5, 7-10, and 21-28* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
   a)☐ All   b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application
6)☐ Other: _____ .

DETAILED ACTION

Response to Amendment

1.   Claims 1-5, 7-10, 21-24, and 25-28 are pending in the instant application.

Claims 6 and 11-20 remain canceled.

Response to Arguments

2.   Applicant's arguments at pages 6-13 of remarks dated **24 February 2010**

regarding the rejection of Claims 1-5, 7-10, and 21-28 under 35 U.S.C. 103 (a)

have been fully considered and are persuasive. Therefore, the rejection has been

withdrawn. However, upon further consideration, new grounds of rejection are

made in view of the newly discovered references (*see* Office Action below).

Claim Objections

3.   Claims 1 is objected to because of the following informalities: the use of

the phrase "is used to" is considered by the Examiner to be interpreted as

intended use. For example, in Claim 1, lines 10-12, "...wherein the single feature

vector is used to cluster..." constitutes for intended use since the claimed feature

vector can be used to perform the claimed functionalaties in the limitations.

renders the functionality to be optional. Therefore, even though the Examiner

gave the functionality patentable weight, the recited functionality is not required

to be taught by the cited prior art of record. Applicant is advised to remove "is

used to..." language and have the functionalities positively recited.

Specification

4.   The disclosure is objected to because of the following informalities:

Claims 26-28 currently recite: ..." a computer readable storage medium".

There is insufficient antecedent basis for this limitation in the specification.

Appropriate correction is required (see 37 CFR 1.75 (MPEP 608.01 (0)).

Claim Rejections - 35 USC § 101

5.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

6.   Claims 26-28 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

The claims are drawn to a "a computer readable storage medium ". The specification is silent regarding the meaning of this term. Thus, applying the broadest reasonable interpretation in light of the specification and taking into account the meaning of the words in their ordinary usage as they would be understood by one of ordinary skill in the art (MPEP §2111), the claims as a whole cover both transitory and non-transitory media. A transitory medium does not fall into any of the four categories of invention (process, machine, manufacture, or composition of matter).

Claims 27-28 are in dependent form of claim 26. Therefore, the claims are rejected under 35 U.S.C. 101 as being directed to non-statutory subject matter.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for

all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8. Claims 1, 22, and 24 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Harmer ("Mobile Aware Multimedia Applications for UMTS: the

ACTS On The Move Project") (referred hereinafter as Harmer) and in further view

of Scheutze et al. (US 6,922,699) (referred hereinafter as Scheutze).

Regarding Claim 1, Harmer teaches a method comprising the steps of:

obtaining a user's communication interest (see page 540, left-hand

column, lines 30-33).

obtaining network attributes (see page 540, left-hand column, lines 39 to

right-hand column, lines 2);

obtaining application attributes (see page 540, left-hand column, lines 33-

36);

forming a data structure (profile, wherein a profile is being interpreted as a

computer language to match, score, and retrieve statistical data such as a unique

identifier that indicates a set of communications parameters values to be used in

establishing a physical session, see IEEE 100 "The Authorative Dictionary of

IEEE Standards Terms", 7th Ed.)) based on the communication interest, network

attributes, and application attributes (e.g., profiles are created and used to store

and retrieve information about user preferences, terminal, and network

characteristics, see page 540, left-hand column, lines 15-36, right-hand column

lines 1-9 and Table 1).

Harmer does not explicitly teach wherein the data structure formed is a

single feature vector; nor

wherein the single feature vector is used to cluster the user with one or

more other users based on similarly-formed single feature vectors associated

with one or more other users.

However, Schuetze in a similar field of endeavor discloses a system and

method for quantitatively representing data objects in a vector space including

the steps of:

forming a single feature vector (wherein a single feature vector is being

interpreted hereinafter as an n-dimensional vector of numerical features that

represent some object, see Wikipedia

(http://en.wikipedia.org/wiki/Feature_vector)) for a community of different

interests for different users (e.g., different feature(s) or a combination of features

that are selected and used to define an aggregate similarity measure, col.4, lines

36-51, col.5, lines 21-41, col.7, lines 44-61, col.10, lines 26-47 col.30, lines 23-

28, and col.37, lines 1-15), and

wherein the single feature vector is used to cluster the user with one or

more other users based on similarly-formed single feature vectors associated

with one or more other users (e.g., data representation model in which user

features are embedded into multi-dimensional vector spaces, which facilitates the use of a consistent and symmetric similarity measure, col.4, lines 36-51, col.7, lines 44-61, col.30, lines 23-28, and col.37, lines 1-15).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the common practiced teachings of Schuetze in the teachings of Harmer to manipulate the obtained communication interests, network attributes, and application attributes in a single feature vector in order to find other users that have similar feature vectors in a multi-dimensional space. One of ordinary skill in the art at the time the invention was made would have been motivated to combine the teachings of Harmer/ Schuetze to help users find other users who share similar interests as them on a given network.

Regarding Claim 22, the combined teachings of Harmer and Schuetze teach the method of claim 1 as discussed above. The combined teachings of Harmer and Schuetze further teach the step of:

obtaining application attributes includes obtaining information regarding collaborative usage of the application (Harmer: see page 540, left-hand column, lines 33-39).

Regarding Claim 24, the combined teachings of Harmer and Schuetze teach the method of claim 1 as discussed above. The combined teachings of Harmer and Schuetze further teach the step wherein the method further includes the step such that clustering is based on bandwidth constraints (Harmer: see page 540, left-hand column, lines 33-39).

9.   Claims 2, 7, 9, and 26 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Harmer in further view of George et al. (US 6.994, 645)

(referred herein after as George) and in further view of Scheutze.

Regarding Claim 2, Harmer teaches a method comprising the steps of:

obtaining network attributes from a network having a plurality of nodes

(see page 540, left-hand column, lines 39 to right-hand column, lines 2); and

obtaining application attributes of an application (see page 540, left-hand

column, lines 33-36);

Harmer does not explicitly teach the step of:

obtaining user communication interests represented by at least one of:

a user request for a content update or a user subscription to a specific

data item or to a set of proximal data sources.

However, George in a similar field of discloses a method and system for

customizing electronic communications including wherein a communication

interest of a user is represented by a user request for content update (changing a

customer's requested mailing date because new information has been loaded

into the content database, col.5, lines 3-8) or user subscription (subscription) to a

specific data item (newsletter), or to a set of proximal data sources (based on the

demographic and public information obtained, one of ordinary skill in the art at

the time the invention was made, would appreciate that a proximal data source

may then be located based on this obtained data), (col.3, lines 3-9, 15-31, 38-47,

and col.4, lines 57-63).

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to utilize the teachings of George in the teachings of Harmer

in order to properly measure the similarities of users' communications interests.

One of ordinary skill in the art at the time the invention was made would have

been motivated to combine the teachings of Harmer/George to enrich the

interaction between the participants (e.g., vendors/users) of the system (George:

col.5, lines 16-19).

The combined teachings of Harmer and George do not explicitly teach the

steps of:

forming a plurality of feature vectors, one for each of the plurality of nodes,

where each single one of the plurality of feature vectors is based on the user's

communication interest, network attributes, and application attributes; nor

clustering the network nodes based on the plurality of feature vectors

However, Schuetze in a similar field of endeavor discloses a system and

method for quantitatively representing data objects in a vector space including

the steps of:

forming a plurality of feature vectors (set of feature vectors), one for each

of the plurality of nodes, where each single one of the plurality of feature vectors

is based on chosen features (Schuetze: col.4, lines 36-51, col.7, lines 44-61,

col.10, lines 26-47 col.30, lines 23-28, and col.37, lines 1-15); and

clustering the network nodes based on the plurality of feature vectors

(Schuetze: e.g., data representation model in which user features are embedded into multi-dimensional vector spaces, which facilitates the use of a consistent and symmetric similarity measure, (e.g., different feature(s) or a combination of features that are selected and used to define an aggregate similarity measure col.4, lines 36-51, col.5, lines 21-29, col.7, lines 44-61, col.30, lines 23-28, and col.37, lines 1-15)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Schuetze in the combined teachings of Harmer and George to manipulate the obtained communication interests, network attributes, and application attributes in a single feature vector in order to find other users that have similar feature vectors in a multi-dimensional space. One of ordinary skill in the art at the time the invention was made would have been motivated to combine the teachings of Harmer/George and Schuetze to help users find other users who share similar interests as them on a given network.

Regarding Claim 7, the combined teachings of Harmer/George/Schuetze teach the method of claim 2 as discussed above. The combined teachings of Harmer/George/Schuetze further teach the step of:

obtaining application attributes includes obtaining information regarding collaborative usage of the application (Harmer: see page 540, left-hand column, lines 33-39).

Regarding Claim 9, the combined teachings of Harmer/George/Schuetze teach the method of claim 2 as discussed above. The combined teachings of Harmer/George/Schuetze further teach the step wherein the method further includes the step such that clustering is based on bandwidth constraints (Harmer: see page 540, left-hand column, lines 33-39).

Regarding Claim 26, Harmer teaches a computer readable storage medium containing an executable program for clustering a multi-type vector space, where the program performs the steps of:

obtaining network attributes from a network having a plurality of nodes (see page 540, left-hand column, lines 39 to right-hand column, lines 15-36 and see table 1); and

obtaining application attributes of an application (see page 540, left-hand column, lines 15-36 and see table 1);

Harmer does not explicitly teach the step of:

obtaining user communication interests represented by at least one of:

a user request for a content update or a user subscription to a specific data item or to a set of proximal data sources.

However, George in a similar field of discloses a method and system for customizing electronic communications including wherein a communication interest of a user is represented by a user request for content update (changing a customer's requested mailing date because new information has been loaded

into the content database, col.5, lines 3-8) or user subscription (subscription) to a specific data item (newsletter), or to a set of proximal data sources (based on the demographic and public information obtained, one of ordinary skill in the art at the time the invention was made, would appreciate that a proximal data source may then be located based on this obtained data), (col.3, lines 3-9, 15-31, 38-47, and col.4, lines 57-63).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of George in the teachings of Harmer in order to properly measure the similarities of users' communications interests. One of ordinary skill in the art at the time the invention was made would have been motivated to combine the teachings of Harmer/George to enrich the interaction between the participants (e.g., vendors/users) of the system (George: col.5, lines 16-19).

The combined teachings of Harmer and George do not explicitly teach the steps of:

forming a plurality of feature vectors, one for each of the plurality of nodes, where each single one of the plurality of feature vectors is based on the user's communication interest, network attributes, and application attributes; nor

clustering the network nodes based on the plurality of feature vectors

However, Schuetze in a similar field of endeavor discloses a system and method for quantitatively representing data objects in a vector space including the steps of:

forming a plurality of feature vectors (set of feature vectors), one for each

of the plurality of nodes, where each single one of the plurality of feature vectors

is based on chosen features (Schuetze: e.g., different feature(s) or a combination

of features that are selected and used to define an aggregate similarity measure

col.4, lines 36-51, col.5, lines 21-41, col.7, lines 44-61, col.10, lines 26-47 col.30,

lines 23-28, and col.37, lines 1-15); and

clustering the network nodes based on the plurality of feature vectors

(Schuetze: e.g., data representation model in which user features are embedded

into multi-dimensional vector spaces, which facilitates the use of a consistent and

symmetric similarity measure, col.4, lines 36-51, col.7, lines 44-61, col.30, lines

23-28, and col.37, lines 1-15)

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to utilize the teachings of Schuetze in the combined

teachings of Harmer and George to manipulate the obtained communication

interests, network attributes, and application attributes in a single feature vector

in order to find other users that have similar feature vectors in a multi-

dimensional space. One of ordinary skill in the art at the time the invention was

made would have been motivated to combine the teachings of Harmer/George

and Schuetze to help users find other users who share similar interests as them

on a given network.

10.   Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over

Harmer in further view of George in further view of Scheutze and in further view

of Grimm et al. (US 5,828,843) (referred herein after Grimm).

Regarding Claim 8, the combined teachings of Harmer/George/Schuetze teach the method of claim 2 as discussed above.

The combined teachings of Harmer/George/Scheutze do not explicitly teach the step of:

obtaining network path loss information, and such that clustering is based on the path loss information.

However, Grimm in a similar field of endeavor discloses an object-oriented method for matching clients together with servers according to attributes included in joint request including the step for:

obtaining network path loss information (e.g., packet-loss rate, col.8, lines 65-66), and such that clustering is based on the path loss information (e.g., match maker will consider network path loss (packet-loss rate) as part of matching up clients, col.9, lines 12-16).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Grimm in the combined teachings of Harmer/George/Scheutze to obtain network path loss information and to cluster clients based on this information. One of ordinary skill in the art at the time the invention was made would have been motivated to combine all of the teachings of Harmer/George/Scheutze/Grimm to help optimize the functionalities of collaborative applications according to obtained network attributes on the system.

11.   Claims 3-4, and 27-28 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Harmer in further view of George and in further view of

Scheutze and yet in further view of Johnson (US. 6,078,946) (referred herein

after as Johnson).

Regarding Claim 3, the combined teachings of Harmer/George/Schuetze

teach the method of claim 2 as discussed above.

The combined teachings of Harmer/George/Scheutze do not explicitly

teach clustering that is performed by a fusion method in which one or more

plurality of nodes are clustered in each attribute space on subspace classifiers.

However Johnson, in a similar field of endeavor, teaches a system and

method for management of connection oriented networks including the step of:

clustering that is performed by a fusion method (where a fusion method is

interpreted as being a subspace classification) in which one or more of said

pluralities of nodes are clustered in each attribute space on subspace classifiers

(col.10, lines 14-16).

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to utilize the teachings of Johnson in Harmer /George/

Scheutze in order to consider additional sub-attributes. One of the ordinary skill

in the art at the time the invention was made would have been motivated to

combine the teachings of Harmer/George/Scheutze/Johnson to produce effective

mutually dependent outcomes of the attributes used for the communication in the

network.

Regarding Claim 4, the combined teachings of Harmer/George/Scheutze

teach the method of claim 2 as discussed above.

The combined teachings of Harmer/George/Scheutze do not explicitly

teach wherein the method further includes the step wherein one of more plurality

of said plurality of nodes clustering is performed by a nested method in which

network nodes are initially clustered based on a sub-set of attributes and then re-

clustered by iteratively considering additional attributes.

However Johnson, in a similar field of endeavor, teaches a system and

method for management of connection oriented networks including the step of:

clustering is performed by a nested method in which network nodes are

initially clustered based on a sub-set of attributes and then re-clustered by

iteratively considering additional attributes (Johnson: e.g., the sub-classes are

already nested within classes, but the comparison of the sub-classes will be

considered as an aspect of determination of the best classes, which would

include their attributes, col.10, lines 20-24).

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to utilize the teachings of Johnson in the teachings of

Harmer/George/Scheutze in order to implement additional attributes need for

clustering. One of ordinary skill in the art at the time the invention was made

would have been motivated to combine the teachings of

Harmer/George/Scheutze/Johnson to help optimize the interaction between the

participants of the system by implementing the additional clustering within the

cluster to determine the best case for the participants of the system.

Regarding Claim 27, this computer readable storage medium claim comprises limitation(s) substantially the same, as those discussed on claim 3 above, same rationale of rejection is applicable.

Regarding Claim 28, this computer readable storage medium claim comprises limitation(s) substantially the same, as those discussed on claim 4 above, same rationale of rejection is applicable.

12.   Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Harmer in further view of George in further view of Scheutze and in further view of Solotorevsky (US 2005/0010571) (referred herein after as Solotorevsky 2)

Regarding Claim 5, the combined teachings of Harmer/George/Scheutze teach the method of claim 2 as discussed above.

The combined teachings of Harmer/George/Scheutze do not explicitly teach wherein the method comprises the steps of:

forming network delay maps and on the forward capacity maps from the obtained network attributes, and such that clustering is based on the formed network delay maps and on forward capacity maps.

However, Solotorevsky 2, in a similar field of endeavor, such as a system and method for generating policies for a communication network, discloses

wherein further comprising forming forward capacity maps (e.g., maps calculated

requirements such as forward capacity (e.g., bandwidth capacity) in a graphical

representation of the network, par [0056], as demonstrated in fig.3 and network

delay maps (e.g., delay, if is a network requirement that is calculated, may also

be demonstrated in a graphical representation of the network as discussed in par

[0060]), such that clustering is based on the formed network delay maps and on

forward capacity maps (e.g., for each expected network requirement, each

expected network requirement may be mapped to the elements of the symbolic

network representation and its probability to demand the type of use it needs

may be derived from (e.g., delay and bandwidth capacity), par [0060]).

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to utilize the teachings of Solotorevsky 2 in

Harmer/George/Scheutze to be able to have a symbolic representation of the

constraints on the network. One of the ordinary skill in the art at the time the

invention was made, would have been motivated to combine the teachings of

Harmer/George/Scheutze and Solotorevsky 2 to be able to visually analyze a

network map based on the specific network attributes and constraints that were

obtained.

13.   Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over

Harmer in further view of George and in further view of Scheutze and in further

view of Tang et al. (US 2005/0076137) (referred herein after as Tang).

Regarding Claim 10, the combined teachings of Harmer/George/Scheutze teach the method of claim 2 as described above.

The combined teachings of Harmer/George/Scheutze do not explicitly teach wherein the method further comprises the step of clustering is based on weighted distance function modeled from normalized attribute subspace metrics.

However, Tang, in a similar field of endeavor, teaches a method of utilizing proximity information in an overlay network, including wherein the method further comprises the step of:

clustering is based on weighted distance function (e.g., RTT) modeled from normalized attribute subspace metrics (par [0058]).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Tang in the teachings of Harmer/George/Scheutze, in order to be able to be able to consider distance measurements. One of ordinary skill in the art at the time the invention was made, would have been motivated to combine the teachings of Harmer/George/Scheutze and Tang to be able to determine the distance of the nodes within a network overlay.

14.   Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Harmer in further view of Scheutze and in further view of Posey Jr. (US 7,184,444) (referred herein after as Posey).

Regarding Claim 25, the combined teachings of Harmer and Scheutze teach the method of Claim 1 as described above.

The combined teachings of Harmer and Scheutze do not explicitly teach the step wherein the forming comprises basing the single feature vector on one or more quality of service requirements.

However, Posey in a similar field of endeavor discloses a system and method for packet classification including the step of forming a feature vector further comprises basing the single feature vector on one or more quality of service requirements (e.g., the classification index module creates a quality of service parameter vector, col.7, lines 15-29).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Posey in the combined teachings of Harmer/Scheutze in order to satisfy Quality of Service requirements mandated by the user nodes. One of ordinary skill in the art at the time the invention was made would have been motivated to combine all of the teachings of Harmer/Scheutze to help minimize system resource requirements such as network bandwidth.

15.   Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Harmer in further view of Schuetze and in further view of Grimm.

Regarding Claim 23, the combined teachings of Harmer and Schuetze teach the method of claim 1 as discussed above.

The combined teachings of Harmer and Scheutze do not explicitly teach the step of:

obtaining network path loss information, and such that clustering is based on the path loss information.

However, Grimm in a similar field of endeavor discloses an object-oriented method for matching clients together with servers according to attributes included in joint request including the step for:

obtaining network path loss information (e.g., packet-loss rate, col.8, lines 65-66), and such that clustering is based on the path loss information (e.g., match maker will consider network path loss (packet-loss rate) as part of matching up clients, col.9, lines 12-16).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Grimm in the combined teachings of Harmer/Scheutze to obtain network path loss information and to cluster clients based on this information. One of ordinary skill in the art at the time the invention was made would have been motivated to combine all of the teachings of Harmer/Scheutze/Grimm to help optimize the functionalities of collaborative applications according to obtained network attributes on the system.

16.   Claim 21 rejected under 35 U.S.C. 103(a) as being unpatentable over Harmer in further view of Scheutze and in further view of Solotorevsky 2.

Regarding Claim 21, the combined teachings of Harmer and Scheutze teach the method of claim 1 as discussed above.

The combined teachings of Harmer and Scheutze do not explicitly teach wherein the method comprises the steps of:

forming network delay maps and on the forward capacity maps from the obtained network attributes, and such that clustering is based on the formed network delay maps and on forward capacity maps.

However, Solotorevsky 2, in a similar field of endeavor, such as a system and method for generating policies for a communication network, discloses wherein further comprising forming forward capacity maps (e.g., maps calculated requirements such as forward capacity (e.g., bandwidth capacity) in a graphical representation of the network, par [0056], as demonstrated in fig.3 and network delay maps (e.g., delay, if is a network requirement that is calculated, may also be demonstrated in a graphical representation of the network as discussed in par [0060]), such that clustering is based on the formed network delay maps and on forward capacity maps (e.g., for each expected network requirement, each expected network requirement may be mapped to the elements of the symbolic network representation and its probability to demand the type of use it needs may be derived from (e.g., delay and bandwidth capacity), par [0060]).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Solotorevsky 2 in Harmer/Scheutze to be able to have a symbolic representation of the constraints on the network. One of the ordinary skill in the art at the time the invention was

made, would have been motivated to combine the teachings of Harmer/Scheutze

and Solotorevsky 2 to be able to visually analyze a network map based on the

specific network attributes and constraints that were obtained.

Conclusion

Examiner has cited particular paragraphs, columns, and line numbers in

the references applied to the claims above for the convenience of the applicant.

Although the specified citations are representative of the teachings of the art and

are applied to specific limitations within the individual claim, other passages and

figures may apply as well. It is respectfully requested from the applicant in

preparing responses, to fully consider the references in entirety as potentially

teaching all or part of the claimed invention, as well as the context of the passage

as taught by the prior art or disclosed by the Examiner.

Any inquiry concerning this communication or earlier communications from

the examiner should be directed to ANTHONY MEJIA whose telephone number

is (571)270-3630. The examiner can normally be reached on Mon-Thur 9:30AM-

8:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the

examiner's supervisor, John Follansbee can be reached on 571-272-3964. The

fax phone number for the organization where this application or proceeding is

assigned is 571-273-8300.

Information regarding the status of an application may be obtained from

the Patent Application Information Retrieval (PAIR) system. Status information

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PAIR. Status information for unpublished applications is available through

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9199 (IN USA OR CANADA) or 571-272-1000.

                                                    /A.M./
                                                    Patent Examiner, Art Unit 2451

/Karen C Tang/

Primary Examiner, Art Unit 2451